

Docket No.: 31957-8001US

(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Kurt Waggoner et al.

Application No.: 08/351,599

Filed: December 7, 1994

For: **METHOD AND APPARATUS FOR  
FORMING ORNAMENTAL EDGES ON  
CEMENT SIDING**

Confirmation No.: 7707

Art Unit: 3203

Examiner: Not Yet Assigned

**REVOCATION OF POWERS OF ATTORNEY  
AND NEW POWERS OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned Assignee of Record hereby revokes all previous Powers of Attorney given in the applications identified in the attached Appendix A and hereby appoints the following attorneys and/or agents to prosecute said applications and transact all business in the U.S. Patent and Trademark Office connected herewith:

All practitioners at Customer Number 25096.

Application No.: 08/351,599

Docket No.: 31957-8001.US00

Address all communications to:

Paul T. Parker  
PERKINS COIE LLP  
P.O. Box 1247  
Seattle, Washington 98111-1247  
(206) 359-8000

For: Shear Tech, Inc.

  
Kurt Waggoner

Title: President and CEO

Dated: 5/10/07

Application No.: 08/351,599

Docket No.: 31957-8001.US00

## Exhibit A

<u>Application No.</u> <u>Patent No.</u>	<u>Attorney Docket #</u>	<u>Applicants</u>	<u>Filed</u> <u>Granted</u>	<u>Title</u>
08/351,599 5,570,0678	31957-8001.US00	Kurt Waggoner et.al.	12/07/1994 11/05/1996	METHOD AND APPARATUS FOR FORMING ORNAMENTAL EDGES ON CEMENT SIDING
09/036,249 5,993,303	31957-8004.US00	Lloyd E. Fladgard and Scott C. Fladgard	03/06/1998 11/30/1999	HAND-HELD CUTTING TOOL FOR CUTTING FIBER-CEMENT SIDING
09/436,790 6,250,998	31957-8004.US01	Lloyd E. Fladgard and Scott C. Fladgard	11/08/1999 06/26/2001	HAND-HELD CUTTING TOOL FOR CUTTING FIBER-CEMENT SIDING
29/118,852 D443,806	31957-8004.US03	Scott C. Fladgard and Joseph Gaidjiorgis	02/17/2000 06/19/2001	FIBER-CEMENT CUTTING TOOL
09/924,395 6,776,150	31957-8004.US04	Joseph Gaidjiorgis and Scott C. Fladgard	08/07/2001 08/17/2004	METHOD AND APPARATUS FOR CUTTING FIBER- CEMENT MATERIAL ALONG AN ARCUATE PATH
09/224,565 6,102,026	31957-8005.US00	Scott Fladgard et. al.	12/30/1998 08/15/2000	FIBER-CEMENT CUTTING TOOLS AND METHODS FOR CUTTING FIBER-CEMENT MATERIALS SUCH AS SIDING
09/602,648 6,401,707	31957-8005.US01	Scott Fladgard et. al.	06/22/2000 06/11/2002	FIBER-CEMENT CUTTING TOOLS AND METHODS FOR CUTTING FIBER-CEMENT MATERIALS, SUCH AS SIDING

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09/074,809 6,276,107	31957-8006.US00	Kurt Waggoner et. al.	05/07/1998 08/21/2001	UNITARY MODULAR SHAKE- SIDING PANELS, AND METHODS FOR MAKING AND USING SUCH SHAKE-SIDING PANELS
09/935,208 6,526,717	31957-8006.US01	Kurt Waggoner et. al.	08/21/2001 03/04/2003	MODULAR SHAKE- SIDING PANELS, AND METHODS FOR MAKING AND USING SUCH SHAKE-SIDING PANELS
10/357,801	31957-8006.US02	Kurt Waggoner et. al.	02/03/2003	UNITARY MODULAR SHAKE- SIDING PANELS AND METHODS FOR MAKING AND USING SUCH SHAKE SIDING PANELS
11/444,168	31957-8006.US03	Kurt Waggoner et. al.	05/30/2006	UNITARY MODULAR SHAKE- SIDING PANELS, AND METHODS FOR MAKING AND USING SUCH SHAKE-SIDING PANELS

Application No.: 08/351,599

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<u>Application No.</u> Patent No.	<u>Attorney Docket #</u>	<u>Applicants</u>	<u>Filed</u> <u>Granted</u>	<u>Title</u>
09/415,088 6,468,453	31957-8007.US00	Joseph Gaidjiergis et. al.	10/08/1999 10/22/2002	METHODS AND APPARATUS FOR MANUFACTURING FIBER-CEMENT SOFFITS WITH AIR VENTS
10/039,064	31957-8007.US02	Joseph Gaidjiergis et. al.	01/04/2002	METHODS AND APPARATUS FOR MANUFACTURING FIBER-CEMENT SOFFITS WITH AIR VENTS
09/594,742 6,352,009	31957-8008.US00	Timothy J. Gaidjiergis	06/13/2000 03/05/2002	TOOL AND METHOD FOR INSTALLING AND/OR REMOVING FASTENER
09/928,259	31957-8010.US01	Fladgard, et al	08/11/2001	EXTENDED LIFE CUTTING BLADES FOR HAND-HELD CUTTING TOOLS
11/440,597	31957-8010.US02	Lloyd E. Fladgard and Scott C. Fladgard	05/24/2006	EXTENDED LIFE CUTTING BLADES FOR HAND-HELD CUTTING TOOLS
11/440,596	31957-8010.US03	Lloyd E. Fladgard and Scott C. Fladgard	05/24/2006	EXTENDED LIFE CUTTING BLADES FOR HAND-HELD CUTTING TOOLS
10/314,430 7,089,709	31957-8012.US00	Kurt Waggoner	12/04/2002 08/15/2006	SIDING HAVING INDICIA DEFINING A FASTENING ZONE AND METHODS FOR MANUFACTURING AND INSTALLING SIDING HAVING INDICIA DEFINING A FASTENING ZONE
11/404,231	31957-8012.US01	Kurt Waggoner	04/14/2006	SIDING HAVING INDICIA DEFINING A FASTENING ZONE

Application No.: 08/351,599

Docket No.: 31957-8001.US00

<u>Application No.</u> Patent No.	<u>Attorney Docket #</u>	<u>Applicants</u>	<u>Filed</u> <u>Granted</u>	<u>Title</u>
10/607,643	31957-8013.US01	Jonathan Edwards et. al.	06/26/2003	SIDING INSTALLATION APPARATUSES AND METHODS FOR INSTALLING SIDING PIECES ON WALLS
11/092,159	31957-8014.US00	Jonathan Edwards et. al.	03/28/2005	WASTE EJECTING BLADE ASSEMBLIES FOR HAND-HELD CUTTING TOOLS
11/152,667	31957-8016.US00	Ian Gregg	06/13/2005	HANDHELD CRIMPING TOOL AND METHOD OF USING SAME
11/331,892	31957-8017.US00	Stacey Roberts and Stephen D. McFadden	01/12/2006	COMPOSITE MATERIALS FORMED OF AT LEAST PARTIALLY CURED CEMENT-CONTAINING PARTICLES DISPERSED THROUGH POLYMERIC MATRIX, APPLICATIONS USING SAME, AND METHODS OF MAKING
60/778,479	31957-8018.US00	Pearse Cashman et. al.	03/01/2006	SIDING INSTALLATION DEVICE AND METHOD USING THE SAME

Application No.: 08/351,599

Docket No.: 31957-8001.US00

<u>Application No.</u> Patent No.	<u>Attorney Docket #</u>	<u>Applicants</u>	<u>Filed</u> <u>Granted</u>	<u>Title</u>
60/792,809	31957-8019.US00	Kurt Waggoner et al.	04/17/2006	SIDING INSTALLATION APPARATUSES AND METHOD OF USING SAME
60/832,252	31957-8020.US00	Kurt Waggoner et al.	07/19/2006	SIDING INSTALLATION APPARATUSES AND METHOD OF USING SAME
11/371,452	31957-8021.US00	Ian Gregg and Pearse W. Cashman	03/08/2006	CUTTING MACHINE FOR CUTTING FIBER-CEMENT MATERIALS AND METHOD OPERATION AND USE
11/595,617	31957-8013US2	Johnathan Edwards et al.	11/08/2006	SIDING INSTALLATION APPARATUSES AND METHODS FOR INSTALLING SIDING PIECES ON WALLS

## PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

November 18, 2005

Date

Carolyn L. Ross

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/039,064

Confirmation No. : 3578

Applicants : Joe Gaidjiorgis et al.

Filed : January 4, 2002

Attorney Docket No.: 186583/US/2

Art Unit : 1732

Customer No. : 27,076

Examiner : Michael I. Poe

Title : METHODS AND APPARATUS FOR MANUFACTURING FIBER-CEMENT SOFFITS WITH AIR VENTS

**REVOCATION AND SUBSTITUTE POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In the matter of the above-identified patent application, I, Kurt Waggoner, declare that I am a duly authorized designee of Shear Tech, Inc., the ASSIGNEE of the entire right, title and interest in and to the above-referenced patent application. Documentary evidence of chain of title from the original owner to ASSIGNEE has been or is concurrently being filed with and recorded by the United States Patent Office. The evidentiary documents referred to in the instant Revocation and Substitute Power of Attorney have been reviewed by the undersigned, and it is certified that, to the best of ASSIGNEE's knowledge and belief, title is held solely in and by ASSIGNEE.



Pursuant to 37 C.F.R. § 3.73(b), I further certify that the evidentiary documents referred to in the instant Revocation and Substitute Power of Attorney have been reviewed, specifically the Assignment to SHEAR TECH, INC., recorded concurrently herewith, and certify that, to the best of my knowledge and belief, title remains in the name of the Assignee.

On behalf ASSIGNEE, I revoke all power of attorney heretofore given, and hereby appoint the attorneys and agents associated with the firm of **DORSEY & WHITNEY LLP**, Customer Number 27,076, including EDWARD W. BULCHIS, Reg. No. 26,847; PAUL T. MEIKLEJOHN, Reg. No. 26,569; BRIAN C. PARK, Reg. No. 45,519; KIMTON N. ENG, Reg. No. 43,605; DOUGLAS STEWART, Reg. No. 51,060; MARCUS SIMON, Reg. No. 50,258; as its attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to Marcus Simon at (206) 903-8800 and telecopies to (206) 903-8820.

Please address all further correspondence relating to this application to:

Marcus Simon, Esq.  
Customer Number 27,076  
DORSEY & WHITNEY LLP  
1420 Fifth Avenue, Suite 3400  
Seattle, WA 98101-4010  
Tele: (206) 903-8800  
Fax: (206) 903-8820

SHEAR TECH, INC.

Date: 11/17/05

  
Kurt Waggoner

President

H:\P\Clients\Pacific Int'l Tool & Shear\186583US2\186583US2 Rev & POA by assignee.doc

## Exhibit A

<u>Appl. No.</u>	<u>Atty Dkt #</u>	<u>Applicants</u>	<u>Filed</u>	<u>Title</u>
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10/039,064	186583/US/2	Joe Gaidjergis, Lloyd Fladgard and Scott Fladgard	04-Jan-02	Methods and Apparatus for Manufacturing Fiber-Cement Soffits with Air Vents
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UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

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JULY 24, 2003

JUL 28 2003  
PTAS

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

PERKINS COIE LLP  
PAUL T. PARKER  
PATENT-SEA  
P.O. BOX 1247  
SEATTLE, WA 98111-1247

PERKINS COIE LLP



\*102387627A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/07/2003

REEL/FRAME: 013821/0261  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
SHEAR TECHNOLOGIES, LLC

DOC DATE: 02/14/2003

ASSIGNEE:  
SHEAR TECHNOLOGIES, INC.  
26130 BOND ROAD  
KINGSTON, WASHINGTON 98346

SERIAL NUMBER: 10039064  
PATENT NUMBER:

FILING DATE: 01/04/2002  
ISSUE DATE:

SERIAL NUMBER: 09926259  
PATENT NUMBER:

FILING DATE: 10/02/2001  
ISSUE DATE:

SERIAL NUMBER: 10244818  
PATENT NUMBER:

FILING DATE: 09/16/2002  
ISSUE DATE:

SERIAL NUMBER: 29118852  
PATENT NUMBER: D443806

FILING DATE: 02/17/2000  
ISSUE DATE: 06/19/2001

013821/0261 PAGE 2

SERIAL NUMBER: 09594742  
PATENT NUMBER: 6352009

SERIAL NUMBER: 09415088  
PATENT NUMBER: 6468453

FILING DATE: 06/13/2000  
ISSUE DATE: 03/05/2002

FILING DATE: 10/08/1999  
ISSUE DATE: 10/22/2002

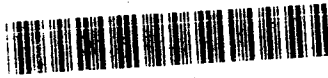
JEFFREY OLSEN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

RECORDED

03-12-2003

Express Mail No. EV 254122569 US

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



102387627

To the Honorable Commissioner of Patents and

1. Name(s) of conveying party(ies):

- 1) SHEAR TECHNOLOGIES, LLC  
2)  
3)  
4)  
5)  
6)

3-7-03

Additional names of conveying parties attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Execution Dates:

- 1) 02/14/2003 4)  
2) 5)  
3) 6)

2. Name and address of receiving party:

Name: SHEAR TECHNOLOGIES, INC.

Internal Address:

Street Address: 26130 BOND ROAD

City KINGSTON

State WASHINGTON

Zip: 98346

Additional names & addresses attached? ☐ Yes ☒ No

4. Application number(s) or registration number(s):

If this document is being filed together with a new application,  
the execution date of the application is

A. Patent Application No(s).

10/039,064  
09/628,259  
10/244,818

B. Patent No(s).

D443,806  
6,352,009  
6,468,453

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: PERKINS COIE LLP

Internal Address: PATENT-SEA

PAUL T. PARKER

Street Address: P.O. Box 1247

City: SEATTLE State: WA ZIP: 98111-1247

6. Total number of applications and patents involved

6

7. Total Fee (37 CFR 3.41): 240.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

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03/11/2003 DBYRNE 00000139 10039064

01 FEB 2003 240.00 OP

Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

PAUL T. PARKER

Name of Person Signing

PAUL T. PARKER

Signature

MARCH 7, 2003

Date

Total number of pages including cover sheet, attachments, and document: 5

## **ASSIGNMENT**

WHEREAS, Shear Technologies, LLC (the "Assignor"), having a post office address of P.O. Box 1604, Kingston, Washington, 98346, is the current assignee of the entire interest of each invention listed in the attached Schedule A.

WHEREAS, Shear Technologies, Inc. ("Assignee"), a corporation of the State of Washington, having a place of business at 26130 Bond Road, Kingston, Washington, 98346, is desirous of acquiring the entire right, title and interest in and to the Invention(s) and the Applications, and in and to any patents (collectively, "Patents") that may be granted for the Invention(s) in the United States or in any foreign countries.

For valuable consideration, the receipt and sufficiency of which we acknowledge, Assignor hereby sells, assigns, and transfers to Assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to: the Invention(s), the Application, and any Patents; any divisions, continuations, and continuations-in-part of the Application; any reissues, reexaminations, or extensions of any and all Patents; the right to file foreign applications directly in the name of Assignee; and the right to claim priority rights deriving from the Applications (collectively, the "Rights"). Assignor warrants that he or she is the sole owner of the Rights, and that the Rights are unencumbered. Assignor also agrees to not sign any writing or do any act conflicting with this assignment, and, without further compensation, sign all documents and do such additional acts as Assignee deems necessary or desirable to: perfect Assignee's enjoyment of the Rights; prepare and prosecute the Applications or any other applications for Patents; conduct proceedings regarding the Rights, including any litigation or interference proceedings; or perfect or defend title to the Rights. Assignor requests ~~the Commissioner of Patents to issue any Patent of the United States that may be issued on~~ the Invention(s) to Assignee.

Date: 2/14/03

[Signature]  
Scott Fladgard

STATE OF Washington  
COUNTY OF Kitsap

On February 14, 2003 before me, Shannon Marie Lynch,  
personally appeared Scott Fladgard, personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person whose name is subscribed to the within instrument and  
acknowledged to me that he/she executed the same in his/her authorized capacity, and that by  
his/her signature on the instrument the person, or the entity upon behalf of which the person  
acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]  
Signature



\* \* \* \* \*

## **Schedule A**

1. U.S. Patent No.: D443,806  
Issue Date: 19-June-2001  
Filed: 17-February-2000  
Application No.: 29/118,852  
Title: FIBER-CEMENT CUTTING TOOL  
First Named Inventor: Scott Fladgard
  
2. U.S. Patent No.: 6,352,009  
Issue Date: 05-March-2002  
Filed: 13-June-2000  
Application No.: 09/594,742  
Title: TOOL AND METHOD FOR INSTALLING AND/OR REMOVING FASTENERS  
First Named Inventor: Timothy Gaidjiergis
  
3. U.S. Patent No.: 6,468,453  
Issue Date: 22-October-2002  
Filed: 08-October-1999  
Application No.: 09/415,088  
Title: METHODS AND APPARATUS FOR MANUFACTURING FIBER-CEMENT  
SOFFITS WITH AIR-VENTS  
First Named Inventor: Lloyd Fladgard
  
4. U.S. Patent Application No.: 10/039,064  
Filed: 04-January-2002  
Title: METHODS AND APPARATUS FOR MANUFACTURING FIBER-CEMENT  
SOFFITS WITH AIR-VENTS  
First Named Inventor: Lloyd Fladgard
  
5. U.S. Patent Application No.: 09/928,259  
Filed: 11-August-2001  
Title: EXTENDED LIFE CUTTING BLADES FOR HAND-HELD CUTTING TOOLS  
First Named Inventor: Lloyd Fladgard



6. U.S. Patent Application No.: 10/244,818

Filed: 16-September-2002

Title: APPARATUS AND METHOD FOR CUTTING FIBER REINFORCED GYPSUM  
AND/OR CEMENT

• • First Named Inventor: Jon Edwards